

REMARKS

In the Advisory Action dated July 6, 2005, the Examiner denied entry of the Amendment dated June 24, 2005, for containing the term "consisting essentially of" and essentially maintained that the claims did not overcome the rejection since they did not recite that the resin was not crosslinked. However, the Examiner did state he recognized that "(C)" could be zero and withdrew the rejection under 35 U.S.C. §112 set forth in the Official Action dated April 13, 2005.

By the present Amendment, the specification has been amended to reflect the current status of the parent application, as requested by the Examiner on page 6 of the aforementioned Official Action dated April 13, 2005, and claim 14 has been amended to avoid the use of "consisting essentially of" and to include the recitation that the cationic particulate is a copolymer having a non-crosslinked structure in accordance with the position taken by the Examiner in the Advisory Action. In addition, new dependent claim 26 has been added to recite specific compounds for (A) and (B) disclosed in the specification on pages 12-14 which can provide the non-crosslinked structure. The present Amendment also cancels claims 17 and 18 without prejudice or disclaimer thereby rendering moot the rejection of claim 18 in paragraph 2 of the Action of April 13, 2005. The cancellation of claims 17 and 18 and the Examiner's statement in the Advisory Action concerning "(C)" are believed to meet all of the §112 rejections in the Action of April 13, 2005.

With regard to the prior art rejections, both of which are based on EP 802245, it is without question that this publication discloses cationic fine particles consisting essentially of a crosslinked resin. Supporting this understanding is the passage at page 3, lines 45-46 which specifically states: "When the monofunctional monomer is used, a crosslinking agent or crosslinking oligomer having an acryl group at its

molecular chain terminal **must** be used in combination.” (emphasis added) In contrast to this specific requirement in the '245 publication, the cationic particulate component of the present invention is prepared by copolymerizing (A) an alkyl(meth)acrylate and (B) an amino group containing (meth)acrylate monomer to obtain a cationic particulate emulsion wherein the cationic particulate is a copolymer having a non-crosslinked structure. Therefore, the '245 publication does not disclose the invention and actually explicitly teaches away from the claimed invention. In this respect, new claim 26 further distinguishes the '245 publication by reciting that (A) and (B) are selected from defined groups of compounds which will provide a non-crosslinked structure.

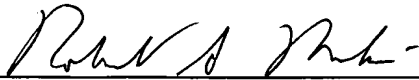
Further supporting the conclusion that the present invention is substantially different from the teachings of the '245 publication is the understanding that the present invention can provide improvements in various properties such as gloss, ink absorbency, color density, water resistance, light resistance and anti-yellowing. Such improvements are illustrated by the results set forth in the Table provided on page 34 of the specification and can be contrasted with the results obtained from Comparative Examples 1-3. The '245 publication is silent with respect to gloss, light resistance and anti-yellowing thereby indicating a failure to appreciate these important advantages which can be obtained from the present invention and which are illustrated by the results of record.

For all of the reasons set forth above, applicants respectfully submit that the claims of record are patentable over the cited prior art and therefore request reconsideration and allowance of the present application.

Should the Examiner wish to discuss any aspect of the present application,
she is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

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Date: August 5, 2005